



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS - MOBILE DISTRICT
BIRMINGHAM FIELD OFFICE
218 SUMMIT PARKWAY, SUITE 222
HOMEWOOD, ALABAMA 35209

December 21, 2011

Inland Section North
Regulatory Division

SUBJECT: Nationwide Permit Authorization - Permit Number SAM-2011-01776-CMS,
Shannon, LLC, Shannon Mine No. 3 Revision R-5

Shannon, LLC
c/o McGehee Engineering
Attention: Mr. Stephen Blankenship
Post Office Box 3431
Jasper, Alabama 35502

Dear Mr. Blankenship:

This letter is in response to your November 21, 2011 application for a Department of the Army permit to perform maintenance activities to an existing road crossing at Blue Creek in association with the Shannon Mine No. 3 Revision R-5 haul road. The project is located in Sections 19, 20 and 30, Township 19 South, Range 5 West (N 33.366707, W 87.096115), near Adger, Jefferson County, Alabama.

Department of the Army authorization is necessary because your project will involve the placement of fill material into jurisdictional waters of the United States, regulated under Section 404 of the Clean Water Act. The project will involve improving an existing haul road in association with an existing mine. The project will require repairing erosion near the existing culverts in Blue Creek and repairing and/or replacing the existing culverts to allow for adequate carrying capacity for the flow of water. Mitigation is not required because the project impacts will be minimal.

Based upon the information and plans provided, we hereby verify that the work described above, which would be performed in accordance with the received drawings, is authorized by Nationwide Permit (NWP) 3 for Maintenance in accordance with 33 CFR Part 330 of our regulations. This NWP and its associated Regional and General Conditions can be viewed at our website www.sam.usace.army.mil/RD/reg. You must comply with all of the special and general conditions of this authorization or you may be subject to enforcement action. In the event you have not completed construction of your project within the specified time limit, a separate application or re-verification may be required.

Special Condition: In order to meet the requirements of the Endangered Species Act (ESA) and Section 106 of the National Historic Preservation Act (NHPA), you must submit to this

office documentation demonstrating that the requirements of ESA and NHPA have been met prior to commencing construction authorized by this permit.

This verification is valid until the NWP is modified, reissued, or revoked. All of the existing NWPs are scheduled to be modified, reissued, or revoked prior to March 18, 2012. It is incumbent upon you to remain informed of changes to the NWPs. We will issue a public notice when the NWPs are reissued. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant nationwide permit is modified or revoked, you will have twelve (12) months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this nationwide permit.

This letter of authorization does not obviate the necessity to obtain any other Federal, State, or local permits, which may be required. Further, please note General Condition 26 requires that you submit a signed certification to us once any work has commenced and when the work and required mitigation are completed. Please complete and submit the attached Notification of Commencement of Work when work has begun and the attached Compliance Certification form to this office within 60 days of completion of the authorized work.

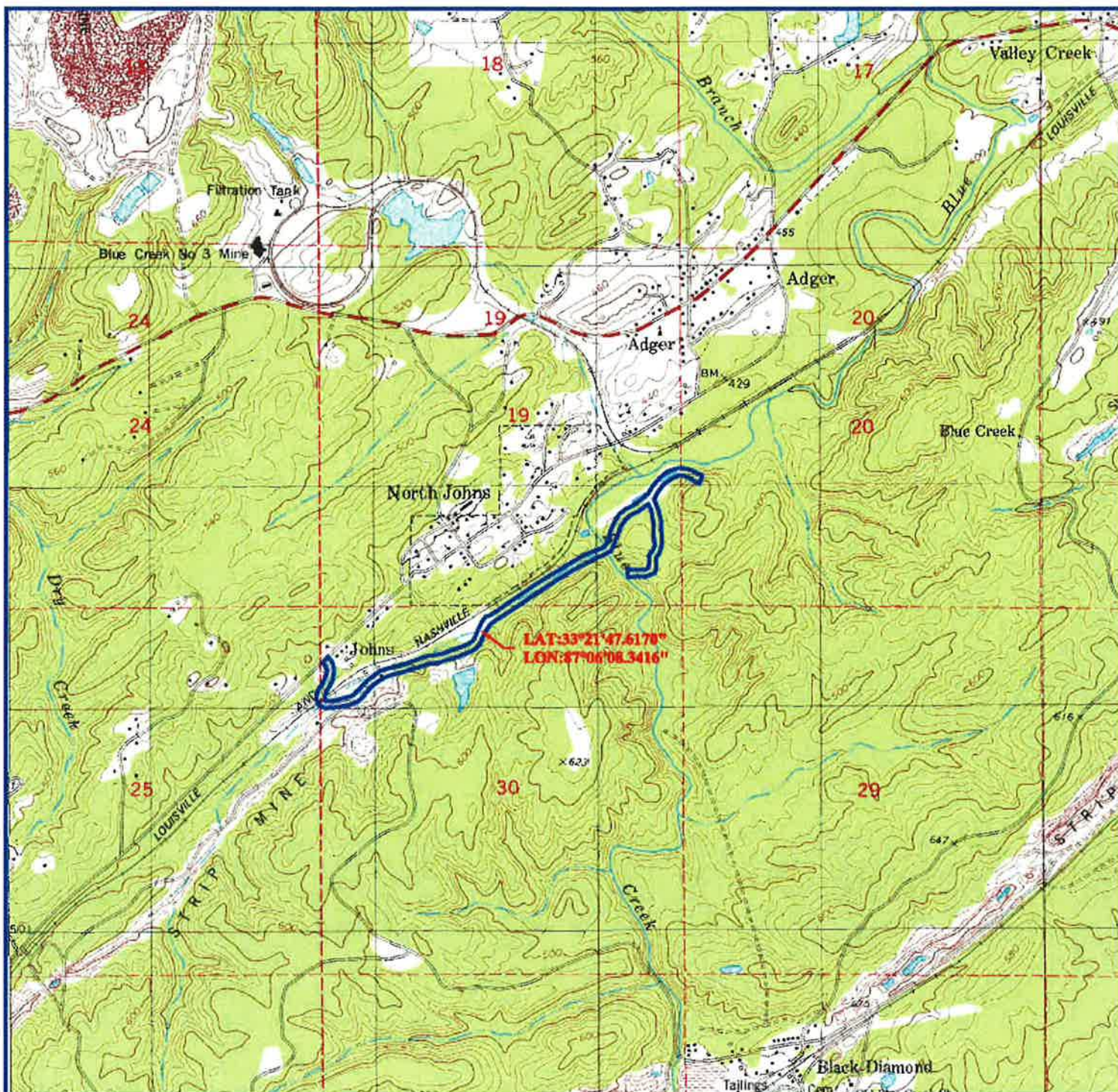
Please contact me at 205-290-9096 or Courtney.m.shea@usace.army.mil and refer to File Number SAM-2011-01776-CMS if you have any questions. For additional information about our Regulatory Program, visit our web site at www.sain.usace.army.mil/RD/reg, and please take a moment to complete our customer satisfaction survey while you are there. Your responses are appreciated and will allow us to improve our services.

Sincerely,



Courtney Shea
Project Manager
Regulatory Division
Birmingham Field Office

Enclosures



SCALE: 1" = 2000'
November 3rd, 2011

SHANNON, LLC.
SHANNON MINE NO. 3 – REVISION R-5
(APPROXIMATELY 25 ACRES TOTAL)

PROJECT AREA MAP

SECTIONS 19, 20 & 30, TOWNSHIP 19 SOUTH, RANGE 5 WEST,
SECTION 25, TOWNSHIP 19 SOUTH, RANGE 6 WEST,
ALL IN JEFFERSON COUNTY, ALABAMA
AS FOUND ON THE MCCALLA, ALABAMA USGS QUAD.

MEC
mcgehee engineering corp
post office box 3431
jefferson, alabama 35502-3431
telephone: (205) 221-0686 fax: 221-7721
email: slarr@mcgehee.org

 REVISION R-5 BOUNDARY



Latitude: 33°21'47" N
Longitude: 87°06'08" W